

Excerpts
Planning Commission Minutes
June 8, 2005

Application No. UP-670-05, Mary Patterson: Request for a Special Use Permit, pursuant to Section 24.1-283(b) of the York County Zoning Ordinance, to authorize massage therapy as a home occupation within a single-family detached dwelling on a 0.31-acre parcel of land located at 203 Halles Run (Route 1465) and further identified as Assessor's Parcel No. 38-121A-6. The property is zoned R20 (Medium Density Single-Family Residential) and the Comprehensive Plan designates this area for Medium-Density Residential development.

Mr. Earl Anderson, Planner, presented a summary of the staff report dated May 25, 2005, which recommended approval. He offered to answer questions.

Mr. Simasek inquired if any complaints have been filed about home occupations. **Mr. Anderson** replied that no complaints have been filed with the Development and Compliance Division for any of the 14 approved barber and beauty shops, nor any violations cited.

Mr. Hamilton asked if the proposed use permit would require additional plumbing to be installed in the residence. **Mr. Anderson** said no additional plumbing would be needed or required and explained that towels used in the practice would be moistened and kept in a steam cabinet until used.

The Chair opened the public hearing.

Ms. Mary Patterson, 203 Halles Run, the applicant, explained that she is employed as a massage therapist at Great Wolf Lodge and is applying for the permit in order to offer her services only to personal acquaintances and neighbors.

Ms. Conner complimented the applicant for providing a valuable service and moved approval of proposed Resolution No. PC05-27.

PC05-27

On motion of Ms. Conner, which carried 7:0, the following resolution was adopted:

A RESOLUTION TO RECOMMEND APPROVAL OF A SPECIAL USE PERMIT
TO AUTHORIZE MASSAGE THERAPY AS A HOME OCCUPATION AT 203
HALLES RUN

WHEREAS, Douglas L. and Mary L. Patterson have submitted Application No. UP-670-05 requesting a Special Use Permit, pursuant to Section 24.1-283(b) of the York County Zoning Ordinance, to authorize massage therapy as a home occupation within a single-family detached dwelling on a 0.31-acre parcel of land located at 203 Halles Run (Route 1465) and further identified as Assessor's Parcel No. 38-121A-6 (GPIN V03A-1784-4861); and

WHEREAS, said application has been referred to the York County Planning Commission in accordance with applicable procedure; and

WHEREAS, the Planning Commission has conducted a duly advertised public hearing on this application; and

WHEREAS, the Commission has given careful consideration to the public comments and staff recommendation with respect to this application;

NOW, THEREFORE, BE IT RESOLVED by the York County Planning Commission this the 8th day of June, 2005, that it does hereby transmit Application No. UP-670-05 to the York County Board of Supervisors with a recommendation of approval, subject to the following conditions:

1. This use permit shall authorize the establishment of massage therapy as a home occupation within a single-family detached dwelling on a 0.31-acre parcel of land located at 203 Halles Run (Route 1465) and further identified as Assessor's Parcel No. 38-121A-6 (GPIN V03A-1784-4861).
2. The conduct of such home occupation shall be limited to approximately 152 square feet, which is shown on the house floor plan filed with the application.
3. The home occupation shall be conducted in accordance with the provisions of Sections 24.1-281 and 24.1-283(b) of the York County Zoning Ordinance, except as modified herein, and Chapter 14.3 of the York County Code.
4. No person other than individuals residing on the premises shall be engaged on the premises in the home occupation.
5. The days and hours of operation shall be limited to Monday 9:00 AM to 8:00 PM, Tuesday, Wednesday, and Thursday 5:00 PM to 8:00 PM, and Friday and Saturday 9:00 AM to 12:00 PM by appointment only.
6. No more than one (1) customer at any one time shall be served within the applicant's home.
7. Retail sales on the premises shall be limited to incidental sales therapeutic and other bodywork products.
8. No signs or other forms of on-premises advertisement or business identification visible from outside the home shall be permitted.
9. In accordance with the terms of the Zoning Ordinance, a minimum of two (2) off-street parking spaces shall be provided on the premises to accommodate customers. These spaces shall be in addition to the two (2) spaces that are otherwise required for the single-family residence.

10. In accordance with Section 24.1-115(b)(7) of the York County Zoning Ordinance, a certified copy of the Resolution authorizing this Special Use Permit shall be recorded at the expense of the applicant in the name of the property owner as grantor in the office of the Clerk of the Circuit Court prior to application for site plan approval or issuance of a Certificate of Occupancy, whichever occurs first.

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